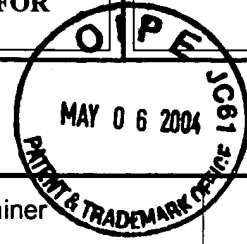


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AF/1641

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity)**

Docket No.  
13388



In Re Application Of: **Cristobal Guillermo dos Remedios, et al.**

Serial No.  
09/778,259

Filing Date  
2/7/2001

Examiner  
C.J. Cheu

Group Art Unit  
1641

Invention: **BIOMOLECULAR TOXICITY ASSAY**

TO THE COMMISSIONER FOR PATENTS:

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of November 3, 2003 in the above-identified application.  
*Date*

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **November 3, 2003** finally rejecting Claim(s) **1, 3-7 and 11**

Applicant(s) hereby request(s) an extension of time of (check desired time period):

- One month
- Two months
- Three months
- Four months
- Five months

from: February 3, 2004 until: May 3, 2004  
*Date* *Date*

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$165.00

Fee for Extension of Time: \$475.00

**TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$640.00**

The fee for the Notice of Appeal and extension of time is to be paid as follows:

- A check in the amount of **\$640.00** for the Notice of Appeal and extension of time is enclosed.
- Please charge Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_
- The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. **19-1013/SSMP**
  - Any additional filing fees required under 37 C.F.R. 1.16.
  - Any patent application processing fees under 37 CFR 1.17.
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **19-1013/SSMP**

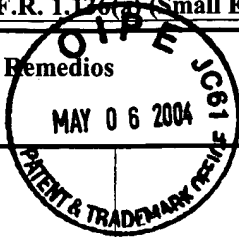
05/07/2004 TBESHAH1 00000083 09778259

01 FC:2401 165.00 OP  
05/07/2004 TBESHAH1 00000083 09778259  
02 FC:2253 475.00 OP

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. 1.126(a) (Small Entity)**

Docket No.  
13388

In Re Application Of: Cristobal Guillermo dos Remedios



Serial No.  
09/778,259

Filing Date  
2/7/2001

Examiner  
C.J. Cheu

Group Art Unit  
1641

Invention: **BIOMOLECULAR TOXICITY ASSAY**

TO THE COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:

\_\_\_\_\_  
*Signature*

Dated: May 3, 2004

Leslie S. Szivos, Ph.D.  
Registration No. 39,394  
**SCULLY, SCOTT, MURPHY & PRESSER**  
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*Typed or Printed Name of Person Signing Certificate*

**Certificate of Mailing**

I certify that this document and fee is being deposited on 5/3/2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

\_\_\_\_\_  
*Signature of Person Mailing Correspondence*

**Leslie S. Szivos, Ph.D.**  
\_\_\_\_\_  
*Typed or Printed Name of Person Mailing Correspondence*

\*This certificate may only be used if paying by deposit account.

CC: